

REMARKS

Status of the Claims

Claims 25-34 and 41-66 are pending in this application.

Claims 25-34 and 41-66 are rejected.

Claims 25, 41, and 54-59 have been amended. Support for these amendments can be found throughout the specification, claims, and drawings, as originally filed.

Specification Objections

The specification was objected to as failing to provide proper antecedent basis for the subject matter in claims 25, 41, and 54-59. Claims 25, 41, and 54-59 have been amended to include how the fastener is a "threaded fastener that is inserted through the bottom of the bezel through a boss located in the bezel and into a corresponding boss in the mirror housing."

Applicant believes that the amendments to claims 25, 41, and 54-59 clarify and provide proper antecedent basis for the claimed subject matter. Also, the specification was amended to change the grammatical error in paragraph 3. Applicant requests that the specification objections be withdrawn.

Drawing Objections

The drawings have been objected to under 37 CFR 1.83(a). The Office Action indicated that the "drawings must show every feature of the specified claims." The Office Action stated that "the 'a threaded fastener for attaching the light module to the bezel' must be shown of the feature(s) canceled from the claim(s)."

A threaded fastener for attaching the light module to the bezel is shown in Figures 3 and 4. A threaded fastener 46 is shown in a boss 48, and may be inserted in the boss in the housing 16. Every feature of the claims is shown in the drawings. Therefore, Applicant respectfully requests the reconsideration of the drawing objection.

Claim Objections

Claims 25, 41, and 54-59 were objected to because the limitation of “a threaded fastener for attaching the light module to the bezel’ as claimed in claims 25, 41, and 54-59 is not supported by the specification.” The Office Action also stated that the disclosure of a clip-type fastener contradicts the claimed recitation that the threaded fastener attaches the light module to the bezel.

Claims 25, 41, and 54-59 have been amended to state that the fastener is a “threaded fastener that is inserted through the bottom of the bezel through a boss located in the bezel and into a corresponding boss in the mirror housing.”

Applicant believes that the amended claims 25, 41, and 54-59 are fully supported by the specification. Paragraph 20 of the specification states that “a threaded fastener 46 may be inserted up through the bottom of bezel 28 through boss 48 and into a corresponding boss in housing 16.” Applicant respectfully requests the removal of the objection of claims 25, 41, and 54-59.

Double Patenting

The Office Action indicated that claims 25-31 and 41-66 of the present application were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-40 of copending Application No. 10/695,121. The Office Action stated that “although the

claims are not identical, they are not patentably distinct from each other because merely uses slightly different claim language to claim the same invention.” The applicant submits herewith the attached terminal disclaimer and the associated fee, which obviates the present rejection of claims 25-31 and 41-66. Accordingly, the Applicant submits that the double patenting rejection of claims 25-31 and 41-66 has been overcome.

Rejection of Claims 25-31 and 41-59 Under 35 U.S.C. § 103(a)

Claims 25-31 and 41-59 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,823,654 to Pastrick et al. (hereafter Pastrick) in view of U.S. Patent No. 5,938,322 to Alonzo, Jr. et al. (hereafter Alonzo). The Office Action specifically states that the Pastrick reference

“...discloses a mirror assembly for a vehicle comprising: a mirror housing 26,’ a reflective element 28,’ a backing assembly (42, 43, see figure 8) supported by the mirror housing, the backing assembly supporting the reflective element; a bezel 104 having a height for extending below the housing 26,’ formed as a separate element of and attached to a lower portion of the mirror housing 26,’ a portion of the bezel 104 including an opaque contoured surface portion extending from the lower portion of the mirror housing, the bezel having an opening 136 for projecting light through the lens 160, a light module 151 disposed within the bezel, the light module 151 having a light source 152 for providing light to be projected through the lens 154; and a lens 154 formed in the opening, the light projecting through the lens 154. The bezel 104 is disposed generally beneath the backing assembly and the reflective element 28. The opening in the bezel projects rearwardly. The light source 52 generates light to provide at least one of a turn signal light, an approach light, and a vehicle side marker light (can be used as all three, see columns 1-2 and entire specification). The light source assembly 151 has a reflective inner surface (not explicitly shown in figure 22 but explicitly taught in Pastrick et al’s disclosure, see figure 8, reflective element 62) being shaped to direct a maximum amount of light emitted form the light source 152 to the lens 154. The lens 154 is operative to direct light through an arc extending at least 40 degrees (see column 1, line 55-61,). Pastrick et al teaches the angle to up to 45 degrees) rearwardly from approximately a line passing through the minor assembly and extending

perpendicular to the longitudinal axis of the vehicle. The light source is operable to provide a signal visible through the light transmitting lens 154 to the rearward motor vehicle when activated. The light source 152 generates light to provide a vehicle approach light and wherein the lens of one of red, amber, and white (as taught in column 8, lines 29-56). The light source 152 generates light to provide a vehicle side marker light and wherein the lens is one of red, amber, and white (as taught in column 8, lines 29-56.) The bezel 140 is attached to the housing mirror housing via a fastener 169.”

The Office Action also states that with regard to the Alonzo patent, Figure 1 “teaches a threaded fastener 16 for attaching lamp module 12 to bezel 14.” Lastly, the Office Action states that “Pastrick et al ‘654 doesn’t mention the type of fasteners used to hold the module to bezel 116, but does indicate at column 11, line 67- column 12, lines 1-4 that when cover member 160 and optical surface engage with flange 146 to create a water-[tight] engagement,” and that it “would have been obvious to one skilled in the art at the time of applicant’s invention to modify the light module of Pastrick et al so as to include a threaded fastener as taught by Alonzo, Jr. et al in order to provide an effective means for attaching the light module to the bezel.”

The Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claims 25-31 and 41-59 as being rendered obvious.

Independent claims 25, 41, and 55-59 all include a bezel which is formed as a separate element from the mirror housing. The bezel is attached to a lower portion of the mirror housing. Pastrick does not teach or suggest these limitations. In Figures 21-23, Pastrick teaches how a “mirror housing 34’ includes a downward opening 108 for receiving light module 104.” Col. 9, Lines 24-25. Instead of teaching a light module 104 connected to a lower portion of the mirror housing 34’, Pastrick teaches how the light module 104 is inserted inside the mirror housing 34’. Therefore, Applicant

maintains that Pastrick does not teach or suggest all of the limitations of claims 25-31, and 41-59.

Applicant maintains that Alonzo does not resolve the deficiencies of Pastrick mentioned above. Alonzo teaches or suggests a housing 28 of a warning light assembly that is placed inside of the mirror housing 14. See Fig. 1, Col. 3, Lines 31-33. There is nothing in Alonzo that teaches or suggests a bezel formed as a separate element attached to a lower portion of the mirror housing as specified in claims 25, 41, and 55-59. Claims 25, 41, and 55-59, are independent claims which include bezel formed as a separate element that is attached to the lower portion of a mirror housing. Claims 42-53 are dependent upon claim 41. The dependent claims include all of the limitations of their respective independent claims. For this reason alone the combination of Pastrick in view of Alonzo will not render claims 25-31, and 41-59 obvious or the present invention obvious.

Also, it would not have been obvious to one skilled in the art at the time of Applicant's invention to modify the light module of Pastrick to include a threaded fastener as taught by Alonzo in order to provide an effective arrangement for attaching the light module to the bezel. Alonzo teaches how "[h]ead 12 is, in the disclosed embodiment, affixed to the front side of the housing 14 by means of mounting screws 16." Col. 3, Lines 5-7. Pastrick specifically states that a "cover member 160 encloses signal light assembly 138 and sinusoidal optical surface 156 by moisture-tight engagement with flange 146 of enclosure 116." Col. 11, Line 67- Col.12, Lines 1-2. With regard to the present invention, the threaded fasteners are inserted through the bottom of the bezel through a boss and into a corresponding boss in the housing. Alonzo fails to teach or suggest these elements, Figure 1 of Alonzo shows the threaded

fasteners 16 inserted into the side of the housing 14, and does not show how the fasteners 16 are inserted into the housing 20, as described in the present invention.

Therefore, it would not have been obvious to one of ordinary skill in the art to combine Alonzo with Pastrick because Alonzo does not state that the fasteners are inserted through the bottom of the bezel through a boss in the bezel and into a corresponding boss in the mirror housing.

In view of the foregoing, the Applicant respectfully submits that claims 25-31, and 41-59 define over the art cited by the Examiner and respectfully requests withdrawal of the rejection. Thus, Applicant respectfully requests withdrawal of the rejection.

Rejection of Claims 41-66 Under 35 U.S.C. § 103

Claims 41-66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,823,654 to Pastrick et al. (hereafter Pastrick) in view of U.S. Patent No. 6,331,066 to Desmond et al. (hereafter Desmond).

The Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claims 41-66. Claims 41, and 54-60, are independent claims which include a fastener which can be either a threaded fastener or a clip-type fastener. Claims 42-53 are dependent upon claim 41 and claims 61-66 are dependent upon claim 60. The dependent claims include all of the limitations of their respective independent claims.

The Office Action specifically states that Pastrick discloses

“a mirror assembly for a vehicle comprising: a mirror housing 26,’ a reflective element 28,’ a backing assembly (42, 43, see figure 8) supported by the mirror housing, the backing assembly supporting the reflective element; a bezel 104 having a height for extending below the housing 26,’ formed as a separate element of and attached to a lower portion of the mirror housing 26,’ a portion of the bezel 104 including an opaque contoured surface portion extending from the lower portion of the mirror housing, the bezel having an opening 136 for projecting light

through the lens 160, a light module 151 disposed within the bezel, the light module 151 having a light source 152 for providing light to be projected through the lens 154; and a lens 154 formed in the opening, the light projecting through the lens 154. The bezel 104 is disposed generally beneath the backing assembly and the reflective element 28. The opening in the bezel projects rearwardly. The light source 52 generates light to provide at least one of a turn signal light, an approach light, and a vehicle side marker light (can be used as all three, see columns 1-2 and entire specification). The light source assembly 151 has a reflective inner surface (not explicitly shown in figure 22 but explicitly taught in Pastrick et al's disclosure, see figure 8, reflective element 62) being shaped to direct a maximum amount of light emitted from the light source 152 to the lens 154. The lens 154 is operative to direct light through an arc extending at least 40 degrees (see column 1, line 55-61,). Pastrick et al teaches the angle to up to 45 degrees) rearwardly from approximately a line passing through the minor assembly and extending perpendicular to the longitudinal axis of the vehicle. The light source is operable to provide a signal visible through the light transmitting lens 154 to the rearward motor vehicle when activated. The light source 152 generates light to provide a vehicle approach light and wherein the lens is one of red, amber, and white (as taught in column 8, lines 29-56). The light source 152 generates light to provide a vehicle side marker light and wherein the lens is one of red, amber, and white (as taught in column 8, lines 29-56.) The bezel 140 is attached to the housing mirror housing via a fastener 169."

The Office Action states that "Pastrick et al '654 doesn't mention the type of fasteners used to hold the module to bezel 116, but does indicate at column 11, line 67—column 12, Lines 1-4 that when the cover member 160 and optical surface engage with flange 146 to create a water-tight engagement." The Office Action also states that "Desmond et al teaches a clip-type fastener 66 for attaching lamp module 40 to a bezel," and that "it would have been obvious to one skilled in the art at the time of applicant's invention to modify the light module of Pastrick et al so as to include a threaded fastener as taught by Desmond et al in order to provide an effective means for attaching the light module to the bezel." Applicant maintains that Pastrick being taken in view of Desmond does not render the present invention obvious.

Claims 41-66 include a bezel which is formed as a separate element from the mirror housing. The bezel is attached to a lower portion of the mirror housing. Pastrick

does not teach or suggest any of these limitations. In Figures 21-23, Pastrick teaches how a "mirror housing 34' includes a downward opening 108 for receiving light module 104." Col. 9, Lines 24-25. Pastrick teaches how the light module 104 is inserted inside the mirror housing 34'. Therefore, Applicant maintains that Pastrick does not teach or suggest all of the limitations of claims 23 and 33.

Applicant maintains that Desmond does not resolve the deficiencies of Pastrick mentioned above. Desmond teaches or suggests a mirror assembly comprising a "mirror case 11 having a front bezel 12 and a reflective element 100 secured together in a conventional manner." Col. 4, Lines 2-4. "The bottom of the case 11 is formed with recesses 46,47 for receiving reflector members 40,41, respectively." Col. 5, Lines 1-3. There is nothing in Desmond that teaches or suggests a bezel connected to a lower portion of the mirror housing as specified in claims 41-66. For this reason alone the combination of Pastrick in view of Desmond will not render claims 41-66 obvious or the present invention obvious.

The language in the Office Action is also inconsistent, stating that "Desmond et al teaches a clip-type fastener 66 for attaching lamp module 40 to a bezel," while also stating that it would have been obvious "to modify the light module of Pastrick et al so as to include a threaded fastener as taught by Desmond et al." First, Desmond does not teach or suggest a light module attached to a bezel. Desmond shows a resilient flange 66 provided on a member 40 to engage with a complementary flange 67 on the case 11 so that the member 40 can be releasably retained within the case 11. See Col. 5, Lines 32-35. Fig. 7 of Desmond shows the case is the mirror housing or case, which is not the same as a bezel. Additionally Desmond does not teach a threaded fastener, Desmond teaches a clip-type fastener. See Figures 7, 8,

and 10. This clip fastener is used to hold member 40 into the housing 11. Since Desmond cannot be relied upon to teach or suggest a threaded fastener as stated in the Office Action, applicant request that the rejection of claims 31-66 be removed.

In view of the foregoing, the Applicant respectfully submits that claims 41-66 define over the art cited by the Examiner and respectfully requests withdrawal of the rejection. Thus, Applicant respectfully requests withdrawal of the rejection.

CONCLUSION

It is respectfully submitted that in view of the above amendments and remarks the claims 25-31 and 41-66, as presented, are patentably distinguishable because the cited patents, whether taken alone or in combination, do not teach, suggest or render obvious, the present invention. Therefore, Applicant submits that the pending claims are properly allowable, which allowance is respectfully requested.

The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 364-4300 if any unresolved matters remain.

Respectfully submitted,

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